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October 8, 2007

Neal Benson  
5462 Begonia Drive  
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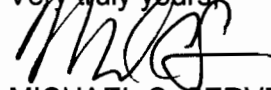
Peggy S. Doyle, Esq.  
Lewis, Brisbois, Bisgaard & Smith, LLP  
One Sansome Street, #1400  
San Francisco, CA 94104-4431

Re: Benson v. Santa Clara Masonic Lodge #299, et al.  
U.S. District Court No. C07 03476HRL

Dear Counsel:

Please be advised that the court has reset **Defendant's Motion to Dismiss or, in the Alternative, for a More Definite Statement to Friday, November 9, 2007, at 9:00 a.m.**, before the Honorable Ronald M. Whyte in Courtroom #6, 4<sup>th</sup> Floor, U.S. Courthouse, located at 280 South First Street, San Jose, CA. A copy of Clerk's Notice is attached hereto.

Very truly yours,



MICHAEL C. SERVERIAN

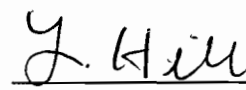
MCS/lh

**CERTIFICATE OF SERVICE**

I hereby certify that on the 8<sup>th</sup> day of October, 2007, I filed the foregoing **October 8, 2007 letter to counsel re new Motion to Dismiss hearing date** via the U.S. District Court, Northern District, California's ECF Filing System, and I sent true and correct copies via U.S. Mail, postage prepaid and addressed to the following:

William D. Andrews  
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San Jose, CA 95128

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One Sansome Street, #1400  
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Lori Hill

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SEE ME \_\_\_\_\_ Dismiss  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NEAL G. BENSON,  
Plaintiff,

v.

SANTA CLARA MASONIC LODGE #299,  
et al.,

Defendant.

**\*E-FILED - 10/5/07\***

CASE NO.: C-07-03476-RMW

**CLERK'S NOTICE OF SETTING  
MOTIONS HEARING DATE**

**NEW DATE: NOVEMBER 9, 2007**

**TIME: 9:00 AM**

PLEASE TAKE NOTICE that, on the court's own motion, **DEFENDANT'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT**, previously set before Magistrate Judge Lloyd for September 4, 2007, has been calendared to the date and time set forth above. The parties are to appear before the Honorable Ronald M. Whyte in courtroom #6, 4th floor of the U.S. Courthouse, 280 South First Street, San Jose, California, unless notified that the matter will be submitted without argument.

If any hearing date is moved by the court's own motion, papers must still be filed in accordance with the originally noticed date and the Local Rules of this court absent a court order setting a new briefing schedule.

The moving party shall give written notice to counsel for all parties of the new date of the hearing after receipt of this notice. Following service, the moving party shall file a certificate of service with the Clerk of the Court.

DATED: October 5, 2007

BY: /s/ Jackie Garcia  
JACKIE GARCIA  
Courtroom Deputy for  
Honorable Ronald M. Whyte

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Copy of Order E-Filed to Counsel of Record:

*Mailed to Plaintiff (Pro Se)*